

OFFICE OF THE CLERK  
**UNITED STATES COURT OF APPEALS**  
FOR THE FIRST CIRCUIT

RICHARD CUSHING DONOVAN  
CLERK

JOHN JOSEPH MOAKLEY  
UNITED STATES COURTHOUSE  
1 COURTHOUSE WAY, SUITE 2500  
BOSTON, MA 02210  
(617) 748-9057

**NOTICE OF AMENDMENT TO LOCAL RULE 46(a)(1) AND**  
**INTERNAL OPERATING PROCEDURE II(A)**

REQUEST FOR COMMENTS AND NOTICE OF AMENDMENT

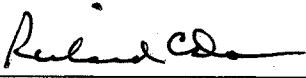
The Judicial Conference of the United States, at its September 2004 session, approved an amendment to the Court of Appeals Miscellaneous Fee Schedule, promulgated under 28 U.S.C. 1913. The amendment to the fee schedule establishes an attorney admission fee of \$150.00, effective January 1, 2005. This new fee is in addition to the \$50.00 local admission fee set by Local Rule 46(a)(1). See Fed. R. App. P. 46(a)(3) (providing authority for appellate courts to impose an admission fee by local rule or court order).

Pursuant to 28 U.S.C. § 2071(e), the court has determined that there is an immediate need to amend Local Rule 46(a)(1) and Internal Operating Procedure II(A) to take account of this change. A copy of the amended local rule and internal operating procedure is attached. Deletions are indicated in ~~strike-out~~ print; additions are indicated in *italic* print.

These amendments are effective immediately. The court hereby invites public comments on these amendments. Comments should be submitted by February 14, 2005, and addressed to:

Office of the Clerk  
U.S. Court of Appeals for the First Circuit  
United States Courthouse  
1 Courthouse Way, Suite 2500  
Boston, Massachusetts 02210

January 11, 2005

  
Richard Cushing Donovan

## Local Rule 46. Attorneys

### (a) Admission.

1. **Admission Fee.** Upon being admitted to practice, an attorney other than government counsel, and court-appointed counsel, must pay a local admission fee of \$50.00 to the clerk. The clerk must maintain the proceeds as a court's discretionary fund for the reimbursement of expenses of non-compensable court-appointed counsel and such other purposes as the court may order. *This fee is in addition to the \$150 national admission fee imposed by the Court of Appeals Miscellaneous Fee Schedule, promulgated under 28 U.S.C. § 1913.* Attorneys may be admitted in open court on motion or otherwise as the court shall determine.

## Internal Operating Procedure II. Attorneys

- A. **Admission.** Attorneys seeking admission should obtain an application from the court's website at [www.cal.uscourts.gov](http://www.cal.uscourts.gov). or write to the Clerk's Office. The admission fee imposed by Local Rule 46(a)(1) is \$50.00, ~~payable by check or money order to Clerk, U.S. Court of Appeals.~~ There is an additional \$150 admission fee prescribed by the Court of Appeals Miscellaneous Fee Schedule, promulgated under 28 U.S.C. § 1913. The combined fee of \$200 should be paid in a single check or money order, made payable to: "Clerk, United States Court." Attorneys can mail the complete application along with the admission fee to the Clerk's Office for processing and a Certificate of Admission will be returned by mail. Attorneys may also apply for admission in person at the Clerk's Office and be sworn in prior to a Court session. See Federal Rule of Appellate Procedure 46 and Local Rule 46(a).